

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

WILLIAM D. MCCARTHY,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 19-11533-WGY
)	
PETER KOUTOUJIAN, et al.,)	
)	
Defendants.)	

ORDER

October 21, 2019

YOUNG, D.J.

For the reasons stated below, the Court dismisses this action without prejudice for failure to pay the filing fee.

On July 12, 2019, pro se plaintiff William D. McCarthy filed a civil complaint and a motion for leave to proceed in forma pauperis. In a July 19, 2019 order (ECF No. 4), the Court denied the motion for leave to proceed in forma pauperis without prejudice because McCarthy had not filed the six-month prison account statement required under 28 U.S.C. § 1915(a)(2). The Court also ordered McCarthy to pay the filing fee or file a renewed motion for leave to proceed in forma pauperis with a six-month prison account statement, and the Court warned him that failure to comply with the order within 21 days could result in dismissal of the case.

The copy of the July 19, 2019 order sent to McCarthy was returned to the Clerk on July 31, 2019. Because McCarthy failed to provide the Court with a current address at which service could be made, the July 19, 2019 order, to which McCarthy never responded, is deemed delivered and properly served. See Local Rule 83.5.5(h) (D. Mass.). The Court has not received any filings or correspondence from McCarthy since he commenced this action.

Accordingly, the Court orders that this action be DISMISSED WITHOUT PREJUDICE for failure to pay the filing fee. No filing fee shall be assessed.

SO ORDERED.

/s/ William G. Young
WILLIAM G. YOUNG
UNITED STATES DISTRICT JUDGE